

The question being on the engrossment of the bill, was taken and carried by the following vote :

YEAS—Messrs. Dickinson, Duggan, Grimes, Hyde, Parsons, Pitts, Potter, Rainey, Throckmorton, Townes, Walker, Wallace and Whaley—13.

NAYS—Messrs. Chambers, Fall, Guinn, Harman, Herbert, Lott, Martin, Quinan, Rains, Scarborough, Sims and Stockdale—12. Messrs. Erath and Hart, upon request, were excused from voting.

A bill supplementary to an act to ascertain what certificates have been illegally issued by the County Courts of counties in Peters' Colony, ordered to be engrossed. Rule suspended, bill read 3rd time and passed.

On motion of Mr. Stockdale, the bill reported upon this day by the committee on Internal Improvements, supplementary to the modified charter of the Aransas Railroad Company was taken up and bill ordered to be engrossed.

Mr. Lott moved a suspension of the rule ; carried. Bill read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Erath, Fall, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Lott, Martin, Parsons, Potter, Rains, Rainey, Scarborough, Sims, Stockdale, Throckmorton, Townes, Walker and Whaley—24.

NAYS—None.

On motion of Mr. Throckmorton, Mr. Erath, and on motion of Mr. Guinn, Mr. Hart was added to the Select committee on Ways and Means for the protection of the frontier.

On motion of Mr. Wallace, Mr. Martin was added to the committee on Counties and County Boundaries.

On motion of Mr. Hyde, the Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, January 3rd, 1860.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Townes presented the petition of Thomas J. Eanes, a private of Capt. Ford's company, for relief. Referred to the committee on Claims and Accounts.

Mr. Stockdale, from the committee on the Judiciary, to whom was referred a "House bill" to incorporate the Western Texas Life, Fire and Marine Insurance Company of the city of

Indianola, State of Texas, reported the same back to the Senate and recommended the adoption of the following amendments and the passage of the bill :

#### AMENDMENTS.

1. Insert in the second line of the first section before the name of "G. B. Dycus," the names of Henry Runge, Wm. P. Willy, John E. Garey, John H. Dale, Henry J. Huck, E. Wood, Augustus Freman, J. M. Reuss, Jefferson Beaumont, John T. McKinney, W. N. Faub, T. S. Coats, D. M. Stapp, and strike out the word "his" in the same line and insert the word "their" instead. Make the same changes in the subsequent sections wherein necessary.

2. Strike out the word "two" in second line of second section and insert the word "one." Strike out (90 days) in tenth line of same section and insert "six months." Strike out "President and Directors" in fifth line and insert "Stockholders" in the by-laws.

3. Strike out "five" in second line in third section and insert "not less than five nor more than nine."

Insert after the word "Directors" the words "as the Stockholders may determine."

4. Strike out all after the word "hold" in 13th line of same section down to the word "in" in 18th line.

5. Strike out \$200,000 in sections seven and eight, and insert "\$100,000." Add at the end of seventh section the following :

"Before the said county court shall give said certificate it shall be satisfied that the requisite amount of stock has been taken, that the calls required to be previously paid in have actually been paid in, and that the security given is adequate to fully meet the calls at any time for the entire amount of each subscription."

Mr. Duggan, chairman of the Joint committee to whom was referred the memorial of John Marshall and W. S. Oldham, made the following report :

The Joint committee of the Senate and House of Representatives, to which was referred the memorial of John Marshall and W. S. Oldham, requesting an investigation in reference to numerous imputations and charges preferred against them in the accompanying pamphlet entitled "The Public Printing and Public Printer," and asking to meet their answers before the committee, have had the same under consideration. Upon examination they find that the accounts referred to in the pamphlet entitled "The Public Printing and Public Printer," have been passed upon and approved by the officers of the State authorized

and required to examine and pass upon the amounts referred to. The committee have spent much time in examining the amounts and different witnesses, and in listening to the statements of the memorialists and the publisher of the pamphlet. Your committee are satisfied that to go into any further investigation of the imputations, inferences, or charges contained in the pamphlet referred to, would involve the committee in a vast amount of labor ultimately, to decide questions between the author of the pamphlet and the memorialists, disconnected with their legislative duties; they therefore respectfully ask leave to return the memorial to the House and that they be discharged from further consideration of the subject.

Mr. Fall, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed :

A bill for the relief of the heirs of Chas. Inlocs, dec'd.

A bill to incorporate the Sabine and Neches River Insurance Company.

A bill to authorize the county court of comal county to levy a special tax to liquidate the indebtedness of said county contracted in erecting a court house of said county.

Mr. Potter, chairman of the committee on the Judiciary, made the following reports :

The Judiciary committee have considered the petition of many citizens of the town of Waco, praying that the limits of the town may be restricted to the original town plat, and the committee direct me to return the petition to the Senate with a bill establishing the boundary lines prayed for, and recommend the passage of the bill. Bill read 1st time.

The Judiciary committee have considered a bill to amend the laws providing for the registry of deeds and other instruments of writing and direct me to return the same to the Senate, and recommend that it do not pass, the committee think the proposed legislation unnecessary and unsafe.

The Judiciary committee have considered a bill to amend an act to authorize the cancellation of patents in certain cases and the report of the committee on Public Lands thereon. This committee agree entirely with the report of the committee on Public Lands made on the bill, and I am therefore directed to return the bill to the Senate and recommend that it be rejected.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported the following bills properly enrolled, signed and this day presented to the Governor :

An act to provide relief for pre-emption settlers and their assignees under the act of the 22nd January, 1845, the act of

the 7th February, 1854, and actual settlers in the Mississippi and Pacific Railroad Reservation.

An act to authorize the Governor to postpone the sale of the University Lands, which have been forfeited for non-payment of the annual instalments required by law.

An act making an appropriation to pay the Attorney General and District Attorneys the costs due them, under article 952d of the Code of Criminal Procedure.

An act to relieve N. E. Benham from the disabilities of minority.

An act for the relief of Mary Elam.

An act to fix the times for holding the district courts of the seventh judicial district.

An act to authorize the county court of Collin county to levy a special tax for the erection of a court house therein.

Mr. Hyde, chairman of the committee on Private Land Claims, made the following reports :

The Private Land committee, to whom was referred the petition of the heirs of Thomas Blanton, dee'd, have had the same under consideration, and beg leave to report the accompanying bill back to the Senate and recommend its passage. Read 1st time.

The Private Land committee to whom was referred the bill for the relief of Caleb C. Dibble, have examined the same and find that the said Dibble is entitled to relief, and have instructed me to return the same to the Senate and recommend its passage with the following amendment :

"Provided the said Dibble has never received any augmentation certificate for 640 acres of land."

The committee on Private Land Claims to whom was referred the bill for the relief of Mrs. Nancy Robinson of Austin county, have considered the same and find that she is entitled to the relief sought, and have instructed me to return the bill and recommend its passage with the following amendment :

#### AMENDMENT.

Provided that the said Nancy Robinson has not heretofore received any land as a headright.

Mr. Fall, chairman of the committee on Engrossed Bills, reported the following bill correctly engrossed :

A bill supplementary to an act to ascertain what land certificates have been illegally issued by the county courts of counties in Peter's Colony, and to provide for issuing patents on such of said certificates as are legal.

Mr. Wallace introduced a bill for the relief of George W.

King. Read 1st and 2nd times and referred to committee on Claims and Accounts.

Mr. Lott introduced a bill to incorporate the Central Transit Company. Read 1st and 2nd times and referred to committee on Internal Improvements.

Mr. Guinn introduced a bill to authorize the Southern Pacific Railroad Company to construct a branch road, &c. Read 1st and 2nd times and referred to committee on Internal Improvements.

Mr. Potter introduced a bill to incorporate the Galveston and Eastern Texas Railroad Company. Read 1st and 2nd times and referred to committee on Internal Improvements.

Mr. Hart introduced a bill to require the accounts and vouchers of the Superintendents of the Blind, Deaf and Dumb and Lunatic Asylums to be approved by the Governor. Read 1st and 2nd times and referred to the committee on Finance.

Mr. Walker introduced a bill to locate permanently the seat of Justice of Tarrant county. Read 1st and 2nd times and referred to committee on Counties and County Boundaries.

Mr. Sims offered the following resolution :

*Resolved*, That the committee on State Affairs be required to report to the Senate the bill referred to that committee to prevent vice and immorality on the Sabbath day, at as early a day as practicable. Adopted.

#### ORDERS OF THE DAY.

A bill concerning party walls and division walls, fences and ditches, in common or otherwise.

Mr. Quinan moved to strike out the 8th and 9th sections.

Mr. Erath moved the reference of the bill to a select committee. Carried.

Messrs. Erath, Guinn, Quinan, Stockdale and Herbert were appointed said committee.

A message was received from the House requesting the return by the Senate to that body of a bill confirming certain patents and to validate certain surveys in the Mississippi and Pacific Railroad Reservation, which on motion of Mr. Guinn was granted and the bill ordered to be returned.

A bill to grant pre-emption privileges to the company carrying the United States overland mail from Memphis and St. Louis through Texas to San Francisco. The amendment offered on a previous day was adopted and the bill ordered to be engrossed.

A bill to regulate Interest.

Mr. Herbert moved to make the bill the special order for Thursday next, the 5th inst. Carried.

A bill for the relief of the heirs of Charles Inloes; dec'd.—  
Read 3rd time and passed.

On motion of Mr. Rains a bill for the relief of the heirs of Thomas Blanton was taken up, read 1st time, rule suspended, read 2nd time and ordered to be engrossed.

On motion of Mr. Rains, rule further suspended, bill read 3rd time and passed.

A bill for the relief of the heirs of Caldwell Carson. Ordered to be engrossed.

A bill providing for the next election of Representatives to the Congress of the United States from the State of Texas.

Mr. Gentry moved that the bill be made the special order for Friday, the 6th inst. Carried.

Mr. Quinan offered the following resolution :

*Resolved, by the Senate of the State of Texas,* That we have learned with the deepest regret of the recent death of our late distinguished citizen, General Mirabeau B. Lamar; that we hold his memory in profoundest veneration because of his chivalrous character, his devoted patriotism and his eminent public services.

That we sincerely sympathize with his family in their deep grief and mingle our sorrows with theirs over their sad bereavement.

That in testimony of our respect to the memory of the deceased the members of the Senate wear the usual badge of mourning for thirty days.

That a copy of these resolutions be communicated to the family of the deceased by the President of the Senate, which on motion of Mr. Potter were unanimously adopted.

On motion of Mr. Quinan, the Senate adjourned until 10 o'clock, A. M., to-morrow.

WEDNESDAY, January 4, 1860.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Erath presented the petition of John Williams, for money. Referred to the committee on Internal Improvement.

Mr. Gentry presented the petition of sundry citizens of Harris in reference to the creation of a new county.

Mr. Duggan presented the petition of J. D. Fly, corresponding